ESTTA Tracking number:

ESTTA570522

Filing date:

11/12/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	HomeAway.com, Inc
Granted to Date of previous extension	11/09/2013
Address	1011 W. Fifth Street, Suite 300 Austin, TX 78703 UNITED STATES

Attorney	Scott S. Kokka
information	KOKKA & BACKUS, PC
	703 High Street
	Palo Alto, CA 94301
	UNITED STATES
	skokka@kokkalaw.com, docketing@kokkalaw.com, kcleland@kokkalaw.com, ebrodskaya@kokkalaw.com Phone:650-566-9912

Applicant Information

Application No	85929798	Publication date	09/10/2013
Opposition Filing Date	11/12/2013	Opposition Period Ends	11/09/2013
Applicant	Issa Hotels and Resorts Limited Fairview Office Park, Suite C12 Montego Bay, St. James, JMX JMX		

Goods/Services Affected by Opposition

Class 036. First Use: 2009/04/30 First Use In Commerce: 2009/04/30

All goods and services in the class are opposed, namely: Electronic commerce payment services, namely, providing a payment plan for customers to allow payments to be made over time by establishing funded accounts used to purchase travel related services

Class 043. First Use: 2009/04/30 First Use In Commerce: 2009/04/30

All goods and services in the class are opposed, namely: travel agency services, namely, making reservations and bookings for temporary lodging in connection with a deferred payment program

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)	
Priority and likelihood of confusion	Trademark Act section 2(d)	
Dilution	Trademark Act section 43(c)	

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3596177	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY		
Design Mark	Hon	neA	way
Description of Mark	NONE		
Goods/Services			Ise In Commerce: 2008/09/10
	Providing temporary lodgi	ing informationvia the int	emet

U.S. Registration No.	4101348	Application Date	03/09/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		
Design Mark	HOMEAWAY.COM		
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use	e: 1998/10/14 First U	se In Commerce: 2006/01/01
	Agency services for the reser website for making reservatio lodging information services a travelers	ns and bookingof eco	o-lodging; Providing travel

U.S. Registration No.	4101347	Application Date	03/08/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		

Design Mark	HomeAway.com
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01
	Providing real estate listing services for the rental or purchase of real estate; Providing real estate listing services for the rental or purchase of vacationreal estate; Providing real estate listing services via a global computer network; Providing information on the rental of vacation homes via the Internet; Providing a database of information about residential real estate listings in different neighborhoods and communities; Providing information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estatelisting services for housing rentals and apartment rentals; Residential real estate agency services

U.S. Registration No.	4101346	Application Date	03/08/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		
Design Mark	HOMEAWAY.COM		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01 Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estatemarketing services in the field of temporary accommodations		

U.S. Registration No.	4104447	Application Date	03/08/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM	•	
Design Mark	HomeAway.com		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01 Providing a website for the arrangementand booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchablecomputer database featuring informationon travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services		

U.S. Registration No.	4104448	Application Date	03/09/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		•
Design Mark	HOMEAWAY.COM		
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01		
	Providing online newsletters featuring lodging, travel information, featured destinations, reviews, and other information related to lodging and travel providers; conducting workshops and seminars inthe field of vacation property rental		

U.S. Registration No.	4104453	Application Date	03/09/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM	•	•
Design Mark	HOMEAWAY.COM		
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01 Computer services, namely, providing search platforms related to real estate toallow users to request content from andreceive content to a computer or mobiledevice; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials,make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services,namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information		
U.S. Registration	3552504	Application Date	12/14/2006

U.S. Registration No.	3552504	Application Date	12/14/2006
Registration Date	12/30/2008	Foreign Priority Date	06/16/2006
Word Mark	HOMESAWAY		
Design Mark	HOM	ESAV	WAY
Description of	NONE		

Mark	
Goods/Services	Class 039. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00
	Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the fieldof excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations
	Class 043. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00
	Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants

U.S. Registration No.	3566394	Application Date	12/14/2006
Registration Date	01/27/2009	Foreign Priority Date	06/16/2006
Word Mark	HOMES AWAY		
Design Mark	HOMES AWAY		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00 Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the fieldof excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations Class 043. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00 Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants		

U.S. Registration No.	3596174	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority	NONE

		Date	
Word Mark	HOMEAWAY FROM HOME	•	
Design Mark	HomeAwa	ay Froi	n Home
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use Providing temporary lodging i		Jse In Commerce: 2008/01/14 ernet
U.S. Registration No.	1152761	Application Date	07/02/1979
Registration Date	04/28/1981	Foreign Priority Date	NONE
Word Mark	HOME AWAY FROM HOME		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use: 1961/12/00 First Use In Commerce: 1961/12/00 Rental of Temporary and Permanent Living Quarters to Others		
U.S. Registration No.	4218667	Application Date	02/07/2011
Registration Date	10/02/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY SOFTWARE		
Design Mark	HOMEAW.	AY SOI	FTWARE
Description of Mark	NONE		
Goods/Services	Class 042. First use: First Use Application service provider (a management; Computer serv online portal featuring on-line	ASP) featuring softwices, namely, providi	ng a web-based system and

management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadablesoftware for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring application programming interface (API) software for allowing data retrieval, upload, access and
management

U.S. Registration No.	4136610	Application Date	02/07/2011
Registration Date	05/01/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY SOFTWARE FO	OR PROFESSIONAL	_S
Design Mark	HOMEAWAY SOFTWARE FOR PROFESSIONALS		
Description of Mark	NONE		
Goods/Services	Computer software for use in rental website; Computer soft Computer software for applications	database creation and ware for application attended attended and database desortion and the control and the control and a vacation resortion and the control a	esign; Computer software for data; Downloadable software ntal website; Computer

U.S. Registration No.	4129635	Application Date	02/07/2011	
Registration Date	04/17/2012	Foreign Priority Date	NONE	
Word Mark	HOMEAWAY SOFTWARE F	HOMEAWAY SOFTWARE FOR PROFESSIONALS		
Design Mark	HOMEAWAY PROF	HOMEAWAY SOFTWARE FOR PROFESSIONALS HOMEAWAY SOFTWARE FOR PROFESSIONALS		
Description of Mark	NONE			

Goods/Services	Class 042. First use: First Use: 2011/01/26 First Use In Commerce: 2011/01/26
	Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadablesoftware for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring application programming interface (API) software for allowing data retrieval, upload, access and management

U.S. Registration No.	3596176	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY TRAVELER	-	
Design Mark	HomeAv	way T	raveler
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 2008/02/28 First Use In Commerce: 2008/02/28 Providing on-line newsletters featuringlodging and travel information and reviews of lodging and travel providers		

U.S. Registration No.	4048345	Application Date	02/28/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHEN YOU CA	N HOMEAWAY	-
Design Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY		YOU CAN Y
Description of Mark	NONE		

Goods/Services	Class 043. First use: First Use: 2010/12/15 First Use In Commerce: 2011/01/26
	Agency services for the reservation of temporary accommodation; Providing a website for making reservations and bookingof eco-lodging; Providing travel lodging information services and travel lodging booking agency services for travelers

U.S. Registration No.	4093259	Application Date	02/25/2011
Registration Date	01/31/2012	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHEN YOU CA	AN HOMEAWAY	
Design Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2010/12/15 First Use In Commerce: 2011/01/26		
	Providing real estate listing services for the rental or purchase of real estate; Providing real estate listing services for the rental or purchase of vacationreal estate; Providing real estate listing services via a global computer network; Providing information on the rental of vacation homes via the Internet; Providing a database of information about residential real estate listings in different neighborhoods and communities; Providing information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estatelisting services for housing rentals and apartment rentals; Residential real estate agency services		

U.S. Registration No.	4048331	Application Date	02/25/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHEN YOU CA	AN HOMEAWAY	•
Design Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY		
Description of	NONE		

Mark	
Goods/Services	Class 035. First use: First Use: 2010/12/15 First Use In Commerce: 2011/01/26
	Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estatemarketing services in the field of temporary accommodations

U.S. Registration No.	4019582	Application Date	02/28/2011
Registration Date	08/30/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHEN YOU CA	N HOMEAWAY	
Design Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY		
Description of Mark	NONE		
Goods/Services	Class 039. First use: First Use: 2010/12/15 First Use In Commerce: 2011/01/26		
	Coordinating travel arrangements for individuals and for groups; Providing a website for the arrangement and booking ofeco-travel and eco-tours; Providing a web site and web site links to geographicinformation, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services		

U.S. Registration No.	4093260	Application Date	02/28/2011
Registration Date	01/31/2012	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY		

Design Mark	WHY HOTEL WHEN YOU CAN HOMEAWAY
Description of Mark	NONE
Goods/Services	Class 042. First use: First Use: 2010/12/15 First Use In Commerce: 2011/01/26 Computer services, namely, providing search platforms related to real estate toallow users to request content from andreceive content to a computer or mobiledevice; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials,make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services,namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information

U.S. Registration No.	3596173	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY	•	
Design Mark	HomeAway		
Description of Mark	The mark consists of a birdhouse followed by the words "HomeAway".		
Goods/Services	Class 043. First use: First Use: 2008/09/10 First Use In Commerce: 2008/09/10		
	Providing temporary lodging informationvia the Internet		

Application Date

01/18/2008

U.S. Registration

3488230

No.			
Registration Date	08/19/2008	Foreign Priority Date	NONE
Word Mark	HOMEAWAY CONNECT		
Design Mark	HomeAwayC@NNECT		
Description of Mark	The mark consists of the words "HomeAway Connect" with a small bird imposed on the letter "o" in the word "Connect".		
Goods/Services	Class 043. First use: First Use: 2007/01/22 First Use In Commerce: 2007/01/22		
	Providing temporary lodging i	nformationvia the Inte	ernet

U.S. Registration No.	3596175	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY FROM HOME		
Design Mark	Home Away from home		
Description of Mark	The mark consists of a birdhouse followed by the words "HomeAway from home".		
Goods/Services	Class 043. First use: First Use: 2008/01/04 First Use In Commerce: 2008/01/04 Providing temporary lodging informationvia the Internet		

U.S. Registration No.	3385395	Application Date	12/06/2005
Registration Date	02/19/2008	Foreign Priority Date	NONE
Word Mark	HOMEAWAY LIVE THE DESTINATION		
Design Mark	Home Away		
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2006/01/31 First Use In Commerce: 2006/01/31		

	Providing temporary lodging informationvia the internet			
		1	_	
U.S. Registration No.	4044354	Application Date	02/28/2011	
Registration Date	10/25/2011	Foreign Priority Date	NONE	
Word Mark	VRBO FROM HOMEAWAY			
Design Mark		VRBO from HomeAway		
Description of Mark	The mark consists of a picture literalelements "VRBO FROW home.		hind a home with the e right of sun rising behind the	
Goods/Services	Class 043. First use: First Use	Class 043. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19		
	Agency services for the reservation of temporary accommodation; Providing a website for making reservations and bookingof eco-lodging; Providing travel lodging information services and travel lodging booking agency services for travelers			

U.S. Registration No.	4041089	Application Date	02/11/2011
Registration Date	10/18/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HOMEAWAY	-	
Design Mark	VRBO from HomeAway		
Description of Mark	The mark consists of a picture literalelements "VRBO FROM home.		hind a home with the e right of sun rising behind the
Goods/Services	Class 036. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19		
	Vacation real estate listing services and providing such services via a global computer network; providing an on-line database of rental properties, namely, real estate listing services		

U.S. Registration No.	4048332	Application Date	02/25/2011
Registration Date	11/01/2011	Foreign Priority	NONE

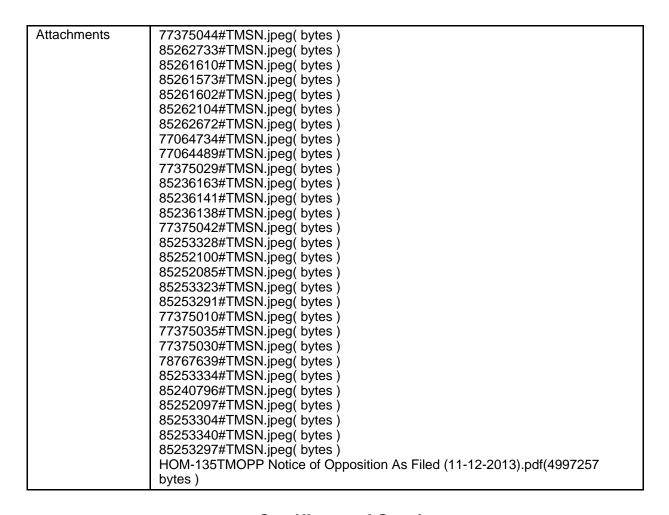
	Date
Word Mark	VRBO FROM HOMEAWAY
Design Mark	VRBO from HomeAway
Description of Mark	The mark consists of a picture of the sun rising behind the home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.
Goods/Services	Class 035. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19 Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estatemarketing services in the field of temporary accommodations

U.S. Registration No.	4048344	Application Date	02/28/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HOMEAWAY		
Design Mark	VRBO from HomeAway		
Description of Mark	The mark consists of a picture literalelements "VRBO FROM home.		hind a home with the e right of sun rising behind the
Goods/Services	Class 039. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19 Providing a website for the arrangementand booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchablecomputer database featuring informationon travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information		

services		
4044355	Application Date	02/28/2011
10/25/2011	Foreign Priority Date	NONE
VRBO FROM HOMEA	WAY	
-0	VR from Ho	BO
Providing online newsl destinations, reviews, a	etters featuring lodging, travand other information relate	vel information, featured d to lodging and travel
	The mark consists of a literalelements "VRBO home. Class 041. First use: F Providing online newsl destinations, reviews, a providers; conducting to the state of	4044355 Application Date 10/25/2011 Foreign Priority Date VRBO FROM HOMEAWAY The mark consists of a picture of the sun rising be literalelements "VRBO FROM HOMEAWAY" to the home. Class 041. First use: First Use: 2007/12/15 First UProviding online newsletters featuring lodging, traved destinations, reviews, and other information relate providers; conducting workshops and seminars in

U.S. Registration No.	4098206	Application Date	02/28/2011
Registration Date	02/14/2012	Foreign Priority Date	NONE
Word Mark	VRBO FROM HOMEAWAY	-	
Design Mark	VRBO from HomeAway		
Description of Mark	The mark consists of a picture literalelements "VRBO FROW home.		hind a home with the e right of sun rising behind the
Goods/Services	Class 042. First use: First Use		
	Computer services, namely, providing search platforms related to real estate toallow users to request content from andreceive content to a computer or mobiledevice; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials,make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and		

business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information



Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Scott S. Kokka/
Name	Scott S. Kokka
Date	11/12/2013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	HomeAway.com,	nc.		
Entity	Corporation	Citizenship	Delaware	
Address	1011 W. Fifth Stre Austin, Texas 787 UNITED STATES	03		

Attorney	Scott S. Kokka
Information	KOKKA & BACKUS, PC
	703 High Street
	Palo Alto, CA 94301
	UNITED STATES
	skokka@kokkalaw.com Phone: 650-566-9912

Applicant Information

Application No	85/929,798	Publication Date	09/10/2013	
Opposition Filing	11/09/2013	Opposition Period	11/09/2013	-111
Date		Ends		
Applicant	Issa Hotels and Res Fairview Office Park Alice Eldemire Drive Montego Bay, St. Ja JAMAICA	, Suite C12		

Goods/Services Affected by Opposition

Class 036. First Use: 2009/04/30 First Use In Commerce: 2009/04/30

All goods and services in the class are opposed, namely: Electronic commerce payment services, namely, providing a payment plan for customers to allow payments to be made over time by establishing funded accounts used to purchase travel related services.

Class 043. First Use: 2009/04/30 First Use In Commerce: 2009/04/30

All goods and services in the class are opposed, namely: Travel agency services, namely, making reservations and bookings for temporary lodging in connection with a deferred payment program.

Grounds for Opposition

False suggestion of a connection	Trademark Act section 2(a)
Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3,596,177	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	2008/09/10	se: First Use: 2008/09/10 Pary lodging information via	

U.S. Registration No.	4,101,348	Application Date	03/09/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.CO	M	
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01 Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of eco-lodging; Providing travel lodging information services and travel lodging booking agency services for travelers		

U.S. Registration No.	4,101,347	Application Date	03/08/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.CO	M	
Design Mark			
Description of Mark	NONE		
Goods/Services	2006/01/01 Providing real est estate; Providing	se: First Use: 1998/10/14 F tate listing services for the r real estate listing services at te; Providing real estate lis	rental or purchase of real for the rental or purchase of

computer network; Providing information on the rental of vacation homes via the Internet; Providing a database of information about residential real estate listings in different neighborhoods and communities; Providing information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estate listing services for housing rentals and	
listings via the Internet; Real estate listing services for housing rentals and apartment rentals; Residential real estate agency services	

U.S. Registration No.	4,101,346	Application Date	03/08/2011
Registration Date	02/21/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	2006/01/01 Providing an interactive through offering prosperty descriptions, considered by a prospecision; Providing ar of coupons, rebates, of others, and responseal estate; On-line active through the providing architecture.	First use: First Use: 1998/10/14 First Use In Commerce: n interactive website which promotes real estate properties ering prospective tenants and buyers video walk throughs, scriptions, text, price, location, maps and other information to be by a prospective tenant or buyer in making a rental or purchase oviding an interactive website for advertising specials, offering rebates, discounts and special offerings promoting the service and responding to customers inquiries for others in the field of On-line advertising and marketing services related to the rental all property; Real estate marketing services in the field of	

U.S. Registration No.	4,104,447	Application Date	03/08/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.CO	M	
Design Mark			
Description of Mark	NONE		
Goods/Services	2006/01/01 Providing a websit tours; Providing a map images, and information and cothe field of travel in computer databas news and commer	roviding a website for the arrangement and booking of eco-travel and eco- urs; Providing a web site and web site links to geographic information, ap images, and trip routing; Providing a web site featuring travel formation and commentary; Providing an on-line computer database in e field of travel information services; Providing an on-line searchable imputer database featuring information on travel; Providing information, was and commentary in the field of travel; Providing links to web sites of there featuring travel; Providing reviews of travel service providers: Travel	

U.S. Registration No.	4,104,448	Application Date	03/09/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.CC	M	
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 041. First use: First Use: 1998/10/14 First Use In Commerce: 2006/01/01 Providing online newsletters featuring lodging, travel information, featured destinations, reviews, and other information related to lodging and travel providers; conducting workshops and seminars in the field of vacation property rental		

U.S. Registration No.	4,104,453	Application Date	03/09/2011
Registration Date	02/28/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY.COM		
Design Mark			
Description of Mark	NONE		
Goods/Services	2006/01/01 Computer services estate to allow use computer or mobile and travel-based or reservations, offer in interactive custo estate; Design and advertisement of reprovider, namely, hamaintaining application service computer application information and darpages featuring use services, namely, promputer network;	rs to request content from a device; ASP featuring so ompanies and individuals coupons, specials, discoumer services related to the development of visualizateal-estate and business of nosting, managing, development, software, and weborketing; Computer services provider in the field of known software for creating seta; Computer services in the redefined information and providing search engines for coviding search engine	h platforms related to real and receive content to a oftware for use by real estate to advertise specials, make ints, and directions and for use e rental or purchase of real tion technologies for fothers; Application service ping, analyzing, and sites, of others in the fields of es, namely, acting as an owledge management to host earchable databases of the nature of customized web dipersonal profiles; Computer for obtaining data on a global gives users the ability to create

U.S. Registration No.	3,552,504	Application Date	12/14/2006	
Registration Date	12/30/2008	Foreign Priority Date	06/16/2006	
Word Mark	HOMESAWAY			

Design Mark	
Description of Mark	NONE
Goods/Services	Class 039. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00 Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations Class 043. First use: First Use: 1993/00/00 First Use In Commerce: 1993/00/00 Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants

U.S. Registration No.	3,566,394	Application Date	12/14/2006
Registration Date	01/27/2009	Foreign Priority Date	06/16/2006
Word Mark	HOMES AWAY		
Design Mark			
Description of Mark	NONE		
Goods/Services	1993/00/00 Arranging travel too vacations, and malarranging travel too specification of othe consultation service global computer netravel tours and travel tours and travel tours and travel tours, and the Class 043. First use 1993/00/00 Travel agency serv making reservation field of dining and to	king reservations and boours, namely, vacations and ers; consultation in the fieles in the field of excursion etwork; providing informationed destinations via a global information in the fields of the organization of custom errors. First Use: 1993/00/00 Fices, namely, arranging signal and booking for temporary	es, namely, arranging specialty obkings for transportation; de travel tours to the eld of travel destinations; as; organization of travel via a sion about specialty vacations, and computer network; providing of travel services, travel ized specialty vacations. First Use In Commerce: pecialty vacations, namely, any lodging; consultation in the as; travel agency services.

U.S. Registration No.	3,596,174	Application Date	01/18/2008	
Registration Date	03/24/2009	Foreign Priority Date	NONE	
Word Mark	HOMEAWAY FR	HOMEAWAY FROM HOME		
Design Mark				
Description of Mark	NONE			
Goods/Services	Class 043. First use: First Use: 2008/01/14 First Use In Commerce: 2008/01/14 Providing temporary lodging information via the Internet			

U.S. Registration No.	1,152,761	Application Date	07/02/1979
Registration Date	04/28/1981	Foreign Priority Date	NONE
Word Mark	HOME AWAY FROM HOME		
Design Mark			
Description of Mark	NONE		
Goods/Services	1961/12/00	se: First Use: 1961/12/00 F	

U.S. Registration No.	4,218,667	Application Date	02/07/2011
Registration Date	10/02/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY SOF	TWARE	
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/03/01 Application service management; Com and online portal fe users to access tra ownership and mar of vacation rental p site featuring tempo database managen software design, de	on service provider (ASP) featuring software for use in content ment; Computer services, namely, providing a web-based system to portal featuring on-line non-downloadable software that enables access training materials in the field of vacation rental property p and management; Computer software development in the field on rental property ownership and management; Providing a web ring temporary use of non-downloadable software for use in management; Software as a service (SAAS) services featuring design, development and implementation; Application service featuring application programming interface (API) software for	

U.S. Registration No.	4,136,610	Application Date	02/07/2011	
Registration	05/01/2012	Foreign Priority	NONE	

Date	Date
Word Mark	HOMEAWAY SOFTWARE FOR PROFESSIONALS
Design Mark	
Description of Mark	NONE
Goods/Services	Class 009. First use: First Use: 2011/01/26 First Use In Commerce: 2011/01/26 Computer software for use in database creation and management of a vacation rental website; Computer software for application and database integration; Computer software for application and database design; Computer software for creating searchable databases of information and data; Downloadable software for use in database management on a vacation rental website; Computer software and software tools for website development

U.S. Registration No.	4,129,635	Application Date	02/07/2011
Registration Date	04/17/2012	Foreign Priority Date	NONE
Word Mark	HOMEAWAY SO	FTWARE FOR PROFESS	IONALS
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Application service management; Co and online portal users to access to ownership and management of vacation rental site featuring temporal database managements of the software design, coprovider featuring	mputer services, namely, p featuring on-line non-down raining materials in the field anagement; Computer soft property ownership and ma porary use of non-downloa	software for use in content providing a web-based system loadable software that enables I of vacation rental property ware development in the field anagement; Providing a web dable software for use in ce (SAAS) services featuring notation; Application service interface (API) software for

U.S. Registration No.	3,596,176	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY TR	AVELER	
Design Mark			
Description of Mark	NONE		
Goods/Services	2008/02/28 Providing on-line	se: First Use: 2008/02/28 Finewsletters featuring lodging and travel providers	First Use In Commerce:

U.S. Registration No.	4,048,345	Application Date	02/28/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WI	EN YOU CAN HOMEAWA	AY
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Agency services Providing a webs	odging information services	

U.S. Registration No.	4,093,259	Application Date	02/25/2011
Registration Date	01/31/2012	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHE	N YOU CAN HOMEAWA	Y
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Providing real estate estate; Providing re vacation real estate computer network; via the Internet; Pro estate listings in diffinformation in the fid listings and real establistings via the Internet.	al estate listing services; Providing real estate lis Providing information on viding a database of info erent neighborhoods and of real estate via the late information via the Internation via	rental or purchase of real for the rental or purchase of ting services via a global the rental of vacation homes rmation about residential real d communities; Providing nternet; Providing real estate ternet; Providing real estate

U.S. Registration No.	4,048,331	Application Date	02/25/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WH	IEN YOU CAN HOMEAWA	Y
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Providing an inter through offering p	se: First Use: 2010/12/15 Fractive website which prome prospective tenants and buyons, text, price, location, manual constants.	otes real estate properties

considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary accommodations

U.S. Registration No.	4,019,582	Application Date	02/28/2011
Registration Date	08/30/2011	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WHE	N YOU CAN HOMEAWA	AY .
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Coordinating travel a website for the ar Providing a web sit images, and trip ro- and commentary; F travel information s database featuring commentary in the	rangement and booking of and web site links to ge uting; Providing a web site links to ge uting; Providing an on-line compervices; Providing an on-information on travel; Profield of travel; Providing lipoiding reviews of travel see and websites.	First Use In Commerce: uals and for groups; Providing of eco-travel and eco-tours; eographic information, map e featuring travel information outer database in the field of line searchable computer oviding Information, news and inks to web sites of others service providers; Travel guide

U.S. Registration No.	4,093,260	Application Date	02/28/2011
Registration Date	01/31/2012	Foreign Priority Date	NONE
Word Mark	WHY HOTEL WH	IEN YOU CAN HOMEAWA	Y
Design Mark			
Description of Mark	NONE		
Goods/Services	2011/01/26 Computer service estate to allow us computer or mobi and travel-based reservations, offe in interactive cust estate; Design an advertisement of provider, namely, maintaining applic	companies and individuals r coupons, specials, discout omer services related to the d development of visualizated real-estate and business of hosting, managing, develo	h platforms related to real and receive content to a oftware for use by real estate to advertise specials, make ants, and directions and for use e rental or purchase of real tion technologies for f others; Application service ping, analyzing, and sites. of others in the fields of

application service provider in the field of knowledge management to host computer application software for creating searchable databases of
information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer
services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create
 customized web pages featuring user-defined information

U.S. Registration No.	3,596,173	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY		
	10 H Home	Away	
Description of Mark	Color is not claime	ed as a feature of the mark d by the words "HomeAwa	. The mark consists of a

U.S. Registration No.	3,488,230	Application Date	01/18/2008
Registration Date	08/19/2008	Foreign Priority Date	NONE
Word Mark	HOMEAWAY CO	NNECT	
	HomeAwa	yC@NNECT	
Description of Mark	Color is not claim words "HomeAwa the word "Connec	ed as a feature of the mark by Connect" with a small bir	The mark consists of the rd imposed on the letter "o" in

U.S. Registration No.	3,596,175	Application Date	01/18/2008
Registration Date	03/24/2009	Foreign Priority Date	NONE
Word Mark	HOMEAWAY FROM I	HOME	

Design Mark	HomeAway from home
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a birdhouse followed by the words "HomeAway from home".
Goods/Services	Class 043. First use: First Use: 2008/01/04 First Use In Commerce: 2008/01/04 Providing temporary lodging information via the Internet

U.S. Registration No.	3,385,395	Application Date	12/06/2005
Registration Date	02/19/2008	Foreign Priority Date	NONE
Word Mark	HOMEAWAY LIV	E THE DESTINATION	
	PH Ho	meAway	
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2006/01/31 First Use In Commerce: 2006/01/31 Providing temporary lodging information via the Internet		

U.S. Registration No.	4,044,354	Application Date	02/28/2011
Registration Date	10/25/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HO	MEAWAY	
	P In	/RBO	
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home		
Goods/Services	Class 043. First u 2008/01/19 Agency services to Providing a webs	se: First Use: 2007/12/15 F for the reservation of tempo ite for making reservations odging information services	First Use In Commerce:

U.S. Registration No.	4,041,089	Application Date	02/11/2011
Registration Date	10/18/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HO	MEAWAY	
	1	VRBO	
Description of Mark	picture of the sun	ed as a feature of the mark rising behind a home with /AY" to the right of sun risin	the literal elements "VRBO
Goods/Services	FROM HOMEAWAY" to the right of sun rising behind the home Class 036. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19 Vacation real estate listing services and providing such services via a global computer network; providing an on-line database of rental properties, namely, real estate listing services		

U.S. Registration No.	4,048,332	Application Date	02/25/2011
Registration Date	11/01/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HO	MEAWAY	
Design Mark	9	VRBO from HomeAway	
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home		
Goods/Services	Class 035. First us 2008/01/19 Providing an interacthrough offering property description considered by a production of coupons, rebate of others, and respreal estate; On-line	se: First Use: 2007/12/15 Factive website which prome rospective tenants and buyons, text, price, location, moreospective tenant or buyer an interactive website for es, discounts and special opending to customers inquite advertising and marketing perty; Real estate marketing	otes real estate properties vers video walk throughs, aps and other information to be in making a rental or purchase advertising specials, offering offerings promoting the services iries for others in the field of a services related to the rental

U.S. Registration No.	4,048,344	Application Date	02/28/2011	
Registration	11/01/2011	Foreign Priority	NONE	

Date	Date
Word Mark	VRBO FROM HOMEAWAY
Design Mark	VRBO from HomeAway
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home
Goods/Services	Class 039. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19 Providing a website for the arrangement and booking of eco-travel and ecotours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services

U.S. Registration No.	4,044,355	Application Date	02/28/2011
Registration Date	10/25/2011	Foreign Priority Date	NONE
Word Mark	VRBO FROM HO	MEAWAY	
		/RBO om HomeAway	
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home		
Goods/Services	Class 041. First u 2008/01/19 Providing online r destinations, revie	ise: First Use: 2007/12/15 Finewsletters featuring lodgin	First Use In Commerce: g, travel information, featured related to lodging and travel

U.S. Registration No.	4,098,206	Application Date	02/28/2011	
Registration Date	02/14/2012	Foreign Priority Date	NONE	
Word Mark	VRBO FROM HOMEAWAY			

Design Mark	VRBO from HomeAway
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home
Goods/Services	Class 042. First use: First Use: 2007/12/15 First Use In Commerce: 2008/01/19 Computer services, namely, providing search platforms related to real estate to allow users to request content from and receive content to a computer or mobile device; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information

Attachments	HOM-135TMOPP Exhibit A	
		

Certificate of Service

I hereby certify that a true and complete copy of the foregoing *Notice of Opposition* has been served on Kathy Silberthau Strom of Cahill Gordon & Reindel LLP by mailing said copy on November 12, 2013, via First Class Mail, postage prepaid to:

Kathy Silberthau Strom CAHILL GORDON & REINDEL LLP 1990 K ST NW STE 950 Washington, DC 20006-1181

Signature	Mayon M. Di	
Name	Maureen M. Dillon	
Date	11/12/2013	

Attorney Docket No.: HOM-135TMOPP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

HOMEAWAY, INC., Opposer	Opposition No. Application Serial No. 85/929,798
ISSA HOTELS AND RESORTS LIMITED, Applicant.	Mark: LOVEAWAY
	Published In <i>Official Gazette</i> on September 10, 2013

NOTICE OF OPPOSITION

HomeAway.com®, Inc. ("Opposer"), a Delaware corporation having its principal place of business at 1011 W. Fifth Street, Suite 300, Austin, Texas, 78704, believes that it will be damaged by Issa Hotels and Resorts Limited's ("Applicant") registration of the mark LOVEAWAY, shown in Application No. 85/929,728 in International Class 036 and International Class 043 in connection with the services identified therein, and hereby opposes its registration. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Opposer's own acts, and upon information and belief as to other matters:

HomeAway and its Business

- Opposer is incorporated under the laws of Delaware and has a business address at 1011 W. Fifth Street, Suite 300, Austin, Texas, 78704
- 2. Opposer is in the business of providing vacation rental and travel information via the internet under its HomeAway® trade name and trademarks (collectively "HomeAway® Name and Marks") by allowing homeowners and property managers to offer an extensive selection of vacation homes by advertising their properties and managing bookings online.

Attorney Docket No.: HOM-135TMOPP

3. Opposer operates the world's leading online marketplace for the vacation rental industry, with sites representing over 775,000 paid listings of vacation rental homes in 171 countries.

- 4. Opposer's website (www.homeaway.com®) connects homeowners and property managers with travelers who seek the space, value and amenities of vacation rental homes as an alternative to hotels. HomeAway® allows travelers to conveniently locate, compare, and select from a broad range of vacation rentals globally. HomeAway® offers travelers a reliable and consistent experience and a trusted brand that supports the direct relationships it has with property owners and managers. In addition, HomeAway® offers easy-to-use search tools and filters for easy comparisons across properties and across regions, rich content including detailed property descriptions, photographs, maps, detailed traveler reviews and availability calendars. HomeAway® is a one-stop website that makes it easy to find and compare properties all over the world. The site is free-to-use for travelers.
- 5. Opposer's portfolio includes the leading vacation rental websites

 HomeAway.com®, VRBO.com and VacationRentals.com in the United States;

 HomeAway.co.uk and OwnersDirect.co.uk in the United Kingdom; HomeAway.de in

 Germany; Abritel.fr and Homelidays.com in France; HomeAway.es and Toprural.es in Spain;

 AlugueTemporada.com.br in Brazil; and HomeAway.com.au in Australia. Asia Pacific short-term rental site, travelmob.com, is also owned by Opposer. Opposer also operates

 BedandBreakfast.com®, the most comprehensive global site for finding bed-and-breakfast properties.
- 6. By virtue of Opposer's use in commerce of its HomeAway® Name and Marks in connection with its services, such services have become well and favorably known to the relevant trade and public under such marks.

Attorney Docket No.: HOM-135TMOPP

HomeAway Name and Marks

7. Since at least 1961, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with rental of temporary and permanent living quarters to others.

- 8. Since at least 1993, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations.
- 9. Since at least 1993, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants.
- 10. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with providing real estate listing services for the rental or purchase of real estate; providing real estate listing services for the rental or purchase of vacation real estate; providing real estate listing services via a global computer network; providing information on the rental of vacation homes via the Internet; providing a database of information about residential real estate listings in different neighborhoods and communities; providing information in the field of real

estate via the Internet; providing real estate listings and real estate information via the Internet; providing real estate listings via the Internet; real estate listing services for housing rentals and apartment rentals; residential real estate agency services.

- 11. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with agency services for the reservation of temporary accommodation; providing a website for making reservations and booking of eco-lodging; providing travel lodging information services and travel lodging booking agency services for travelers.
- 12. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with providing temporary lodging information via the Internet.
- 13. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk-throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; on-line advertising and marketing services related to the rental or sale of real property; real estate marketing services in the field of temporary accommodations.
- 14. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with providing a website for the arrangement and booking of eco-travel and eco-tours; providing a web site and web site links to geographic information, map images, and trip routing; providing a web site featuring travel information and commentary; providing an on-line computer database in the field of travel information services; providing an on-line searchable

computer database featuring information on travel; providing information, news and commentary in the field of travel; providing links to web sites of others featuring travel; Providing reviews of travel service providers; travel guide and travel information services.

- 15. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with providing online newsletters featuring lodging, travel information, featured destinations, reviews, and other information related to lodging and travel providers; conducting workshops and seminars in the field of vacation property rental.
- 16. Since at least 2006, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with computer services, namely, providing search platforms related to real estate to allow users to request content from and receive content to a computer or mobile device; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; design and development of visualization technologies for advertisement of real-estate and business of others; application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; computer services in the nature of customized web pages featuring user-defined information and personal profiles; computer services, namely, providing search engines for obtaining data on a global computer network; providing a website that gives users the ability to create customized web pages featuring user-defined information.
- 17. Since at least 2008, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with

vacation real estate listing services and providing such services via a global computer network; providing an on-line database of rental properties, namely, real estate listing services.

- 18. Since at least 2011, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with computer software for use in database creation and management of a vacation rental website; computer software for application and database integration; computer software for application and database design; computer software for creating searchable databases of information and data; downloadable software for use in database management on a vacation rental website; computer software and software tools for website development.
- 19. Since at least 2011, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with coordinating travel arrangements for individuals and for groups; providing a website for the arrangement and booking of eco-travel and eco-tours; providing a web site and web site links to geographic information, map images, and trip routing; providing a web site featuring travel information and commentary; providing an on-line computer database in the field of travel information services; providing an on-line searchable computer database featuring information on travel; providing information, news and commentary in the field of travel; providing links to web sites of others featuring travel; providing reviews of travel service providers; travel guide and travel information services.
- 20. Since at least 2011, Opposer and/or its predecessor-in-interest has continuously used its HomeAway® Name and Marks in commerce in connection with application service provider (ASP) featuring software for use in content management; computer services, namely, providing a web-based system and online portal featuring online non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; computer software development in the field of vacation rental property ownership and management; providing a web site featuring

temporary use of non-downloadable software for use in database management; software as a service (SAAS) services featuring software design, development and implementation; application service provider featuring application programming interface (API) software for allowing data retrieval, upload, access and management.

21. Opposer is the owner of, among others, the following valid and subsisting federal registrations and the marks that are the subject thereof (printouts from the PTO TESS database are attached as Exhibit A):

MARK	REGISTRATION NO.	REGISTRATION DATE	GOODS/ SERVICES
HOMEAWAY	3,596,177	03/24/2009	Providing temporary lodging information via the Internet
HOMEAWAY.COM	4,101,348	02/21/2012	Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of ecolodging; Providing travel lodging information services and travel lodging booking agency services for travelers
HOMEAWAY.COM	4,101,347	02/21/2012	Providing real estate listing services for the rental or purchase of real estate; Providing real estate listing services for the rental or purchase of vacation real estate; Providing real estate listing services via a global computer network; Providing information on the rental of vacation homes via the Internet; Providing a database of information about residential real estate listings in different

			neighborhoods and communities; Providing information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estate listing services for housing rentals and apartment rentals; Residential real estate agency services
HOMEAWAY.COM	4,101,346	02/21/2012	Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary

			accommodations
HOMEAWAY.COM	4,104,447	02/28/2012	Providing a website
			for the arrangement
			and booking of eco-
			travel and eco-tours;
			Providing a web site
			and web site links to
			geographic
			information, map
			images, and trip
			routing; Providing a
			web site featuring
			travel information and
			commentary;
			Providing an on-line
			computer database in
			the field of travel
			information services;
			Providing an on-line
			searchable computer
			database featuring
			information on travel;
			Providing information,
			news and
	1.0		commentary in the
			field of travel;
			Providing links to web
			sites of others
			featuring travel;
			Providing reviews of
			travel service
			providers; Travel
			guide and travel
LICHENNAY			information services
HOMEAWAY.COM	4,104,448	02/28/2012	Providing online
			newsletters featuring
			lodging, travel
			information, featured
		lie .	destinations, reviews,
			and other information
		7/	related to lodging and
			travel providers;
			conducting
			workshops and
			seminars in the field
			of vacation property
			rental
HOMEAWAY.COM	4,104,453	02/28/2012	Computer services,
		32,23,2012	namely, providing
			search platforms
			related to real estate
	7		to allow users to
			request content from

 	
	and receive content to
	a computer or mobile
	device; ASP featuring
	software for use by
	real estate and travel-
	based companies and
	individuals to
	advertise specials,
	make reservations.
	offer coupons,
	specials, discounts,
	and directions and for
	use in interactive
	customer services
	related to the rental or
	purchase of real
	estate; Design and
	development of
	visualization
	technologies for
	advertisement of real-
	estate and business
	of others; Application
	service provider,
	namely, hosting,
	managing,
	developing,
	analyzing, and
	maintaining
	applications,
	software, and web
	sites, of others in the
	fields of advertising
	and marketing;
THE RESERVE THE PROPERTY OF TH	Computer services,
	namely, acting as an
	application service
	provider in the field of
	knowledge
	management to host
	computer application
	software for creating
	searchable databases
	of information and
	data; Computer
	services in the nature
	of customized web
	pages featuring user-
	defined information
	and personal profiles;
	Computer services,
	namely, providing
	search engines for

	· · · · · · · · · · · · · · · · · · ·		
			obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined
			information
HOMESAWAY	3,552,504	12/30/2008	Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty
			vacations
			Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for
			temporary lodging; consultation in the

			field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging
HOMES AWAY	3,566,394	01/27/2009	and restaurants Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations
			Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the

temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY SOFTWARE HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software for the field of vacation rental property ownership and management; Computer services training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in content management; Software development in the field of vacation rental property ownership and management; Software for use in database management; Software sea a service (SAAS) services featuring software for use in database management; Software services featuring software for use in database management; Software service (SAAS) services featuring software for use in database management; Software service (SAAS) services featuring software for use in database management; Software services featuring software for use in database management; Software services featuring software for use in database management; Software services featuring software for use in database management; Software services featuring software for use in database management; Softwa				
accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants HOME WAY FROM HOME HOME AWAY FROM HOME HOMEAWAY SOFTWARE HOMEAWAY SOFTWARE HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring confuser design, development and implementation; Application service provider featuring software design, development and implementation; Application service provider featuring perviced refeaturing convicter featuring convicter f			9	field of dining and
travel agency services, namely, making reservations and bookings for temporary lodging and restaurants HOMEAWAY FROM HOME HOME AWAY FROM HOME HOMEAWAY SOFTWARE HOMEAWAY SOFTWARE 4,218,667 10/02/2012 HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in content of the field of vacation rental property ownership and management; Software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
HOMEAWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME WAY SOFTWARE HOMEAWAY SOFTWARE A 218,667 HOMEAWAY SOFTWARE A 218,667 A 2				•
HOMEAWAY FROM HOME HOME AWAY SOFTWARE HOMEAWAY SOFTWARE A 4,218,667 I 10/02/2012 HOMEAWAY SOFTWARE A 4,218,667 I 10/02/2012 A 10/02/20				
HOMEAWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY SOFTWARE HOMEAWAY SOFTWARE HOMEAWAY SOFTWARE A 4,218,667 10/02/2012 Providing temporary lodging information via the Internet and Permanent Living Quarters to Others Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software sa a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
HOMEAWAY FROM HOME HOME 3,596,174 HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY SOFTWARE A,218,667 HOMEAWAY SOFTWARE A,218,667 IO/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web ite featuring temporary use of non-downloadable software for use in catabase management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring ervices provider featuring services featuring services provider featuring services featuring services provider featuring servi				
HOMEAWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOMEAWAY SOFTWARE A,218,667 HOMEAWAY SOFTWARE A,218,667 Application service provider (ASP) featuring software for use in content and management; Computer software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web-base development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation, Application service provider featuring period for servic				
HOME AWAY FROM HOME HOME AWAY FROM HOME HOME AWAY FROM HOME HOMEAWAY SOFTWARE 4,218,667 10/02/2012 HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Rental of Temporary and Permanent Living Quarters to Others Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software for use in database featuring semporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation, Application service provider featuring				temporary lodging
HOME HOME AWAY FROM HOME 1,152,761 04/28/1981 Rental of Temporary and Permanent Living Quarters to Others Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing and evelopment in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a services (SAAS) services featuring software design, development and implementation; Application service provider featuring	HOMEAWAY FROM	0.500.474	00/04/0000	
HOME AWAY FROM HOME HOME AWAY SOFTWARE 1,152,761 HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (Asy and Permanent Living Quarters to Others Application service provider (Asy and Permanent) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring		3,596,174	03/24/2009	
HOME AWAY FROM HOME HOME HOME HOME HOME HOME HOME HOME HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Rental of Temporary and Permanent Living Quarters to Others Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software fat enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software for use in database featuring software design, development and implementation; Application service provider featuring	TIONE			
HOME HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring	HOME AWAY FROM	1 152 761	04/29/4094	
HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring services provider featuring software		1,102,701	04/26/1981	
HOMEAWAY SOFTWARE 4,218,667 10/02/2012 Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring errorider featuring errorider featuring errorider featuring errorider featuring provider featuring provider featuring	HOWL			
provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non- downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring	HOMEAWAY SOFTWARE	A 219 667	40/02/2040	
featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring	HOWLAWAT SOFTWARE	4,210,007	10/02/2012	
use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non- downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
management; Computer services, namely, providing a web-based system and online portal featuring on-line non- downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software for use in database featuring software design, development and implementation; Application service provider featuring				
Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				namely, providing a
featuring on-line non- downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring			4	
users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of nondownloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of nondownloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				development in the
property ownership and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				field of vacation rental
and management; Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
Providing a web site featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
featuring temporary use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
use of non- downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				featuring temporary
downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				use of non-
software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring				
(SAAS) services featuring software design, development and implementation; Application service provider featuring				
featuring software design, development and implementation; Application service provider featuring				
design, development and implementation; Application service provider featuring				
and implementation; Application service provider featuring				
Application service provider featuring				
provider featuring				
				application

			programming
			interface (API)
			software for allowing
			data retrieval, upload,
			access and
HOMEANAY COFTMARE	4.400.040	0.0000000000000000000000000000000000000	management
HOMEAWAY SOFTWARE	4,136,610	05/01/2012	Computer software
FOR PROFESSIONALS		25 - 1	for use in database
			creation and
			management of a
			vacation rental
			website; Computer
			software for
			application and
			database integration;
			Computer software
			for application and
			database design;
			Computer software
			for creating
			searchable databases
			of information and
			data; Downloadable
			software for use in
			database
			management on a
			vacation rental
			website; Computer
			software and software
			tools for website
HOMEAWAY SOFTWARE	4,129,635	04/17/2012	development
FOR PROFESSIONALS	4,123,000	04/11/2012	Application service
			provider (ASP)
7			featuring software for use in content
			management;
			Computer services,
			namely, providing a
			web-based system
			and online portal
			featuring on-line non-
			downloadable
			software that enables
			users to access
			training materials in
			the field of vacation
			rental property
			ownership and
			management;
			Computer software
			development in the
			field of vacation rental
			property ownership
			higher a carrieratile

			and management;
To the little			Providing a web site
			featuring temporary
			use of non-
			downloadable
			software for use in
			database
			management;
			Software as a service
			(SAAS) services
			featuring software
			design, development
			and implementation;
			Application service
			provider featuring
			application
			programming
			interface (API)
			software for allowing
			data retrieval, upload,
			access and
			management
HOMEAWAY TRAVELER	3,596,176	03/24/2009	Providing on-line
			newsletters featuring
			lodging and travel
			information and
			reviews of lodging
			and travel providers
WHY HOTEL WHEN YOU	4,048,345	11/01/2011	Agency services for
CAN HOMEAWAY			the reservation of
			temporary
			accommodation;
			Providing a website
			for making
			reservations and
			booking of eco-
			lodging; Providing
			travel lodging
			information services
			and travel lodging
			booking agency
MUNICIPALITATION	4.000.0==		services for travelers
WHY HOTEL WHEN YOU	4,093,259	01/31/2012	Providing real estate
CAN HOMEAWAY			listing services for the
			rental or purchase of
			real estate; Providing
			real estate listing
			services for the rental
			or purchase of
			vacation real estate;
			Providing real estate
			listing services via a
			global computer

			network; Providing
			information on the
			rental of vacation
			homes via the
			Internet; Providing a
			database of
			information about
			residential real estate
			listings in different
			neighborhoods and
			communities;
	- ' 1 1 1		Providing information
			in the field of real
			estate via the
			Internet; Providing
			real estate listings
			and real estate
			information via the
			Internet; Providing
			real estate listings via
			the Internet; Real
			estate listing services
			for housing rentals
			and apartment
			rentals; Residential
			real estate agency
			services
WHY HOTEL WHEN YOU	4,048,331	11/01/2011	Providing an
CAN HOMEAWAY	.,	11/01/2011	interactive website
			which promotes real
			estate properties
			through offering
			prospective tenants
			and buyers video
			walk throughs,
			property descriptions,
			text, price, location, maps and other
			information to be
			considered by a
			prospective tenant or
			buyer in making a
			buyer in making a rental or purchase
			buyer in making a rental or purchase decision; Providing an
			buyer in making a rental or purchase decision; Providing an interactive website for
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials,
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons,
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others,
			buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the

			for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary
WHY HOTEL WHEN YOU CAN HOMEAWAY	4,019,582	08/30/2011	accommodations Coordinating travel arrangements for individuals and for groups; Providing a website for the arrangement and booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring reviews of travel service
WHY HOTEL WHEN YOU CAN HOMEAWAY	4,093,260	01/31/2012	providers; Travel guide and travel information services Computer services, namely, providing search platforms related to real estate
			to allow users to request content from

and receive content to a computer or mobile device; ASP featuring software for use by real estate and travelbased companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of realestate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring userdefined information and personal profiles; Computer services, namely, providing search engines for

	2.506.472	03/24/2000	obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information
1 HomeAway	3,596,173	03/24/2009	Providing temporary lodging information via the Internet
HomeAwayC@NNECT	3,488,230	08/19/2008	Providing temporary lodging information via the Internet
HomeAway from home	3,596,175	03/24/2009	Providing temporary lodging information via the Internet
HomeAway	3,385,395	02/19/2008	Providing temporary lodging information via the Internet
VRBO from HomeAway	4,044,354	10/25/2011	Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of ecolodging; Providing travel lodging information services and travel lodging booking agency services for travelers
VRBO from HomeAway	4,041,089	10/18/2011	Vacation real estate listing services and providing such services via a global computer network; providing an on-line database of rental properties, namely, real estate listing services
VRBO from HomeAway	4,048,332	11/01/2011	Providing an interactive website which promotes real estate properties through offering

			prospective tenants
			and buyers video
			walk throughs,
			property descriptions,
			text, price, location,
			maps and other
			information to be
			considered by a
			prospective tenant or
			buyer in making a
			rental or purchase
			decision; Providing an
			interactive website for
			advertising specials,
			offering of coupons,
			rebates, discounts
			and special offerings
			promoting the
		×	services of others,
			and responding to
			customers inquiries
			for others in the field
			of real estate; On-line
			advertising and
		DC NO.	marketing services
			related to the rental or
			sale of real property;
			Real estate marketing
			services in the field of
			temporary
1.1	4,048,344	11/01/2011	accommodations
S VDDO	7,070,077	11/01/2011	Providing a website
1 Y YAUDO			for the arrangement
I I from HomeAway			and booking of eco- travel and eco-tours;
			Providing a web site and web site links to
			geographic
			information, map
			images, and trip
			routing; Providing a
			web site featuring travel information and
			commentary;
			Providing an on-line
			computer database in the field of travel
			information services;
			information services; Providing an on-line
			information services; Providing an on-line searchable computer
			information services; Providing an on-line searchable computer database featuring
			information services; Providing an on-line searchable computer

fice Provide site of the p	news and mentary in the eld of travel; ding links to web tes of others
fice Provide site of the p	eld of travel; ding links to web
Provide site of the second sec	ding links to web
sit fea	
fea	tes of others
fea	
Provi	nturing travel;
	ding reviews of
tra	avel service
pro	viders; Travel
gui	de and travel
	mation services
4,044,355 10/25/2011 Pro	viding online
	letters featuring
	dging, travel
	nation, featured
	ations, reviews,
	ther information
	d to lodging and
	vel providers;
	conducting
	rkshops and
	nars in the field
	cation property
0.142	rental
4,098,206 02/14/2012 Com	puter services,
-10%	ely, providing
	rch platforms
	d to real estate
	llow users to
	st content from
	ceive content to
	puter or mobile
	; ASP featuring
	are for use by
	tate and travel-
	companies and
	dividuals to
adve	rtise specials,
	reservations,
	er coupons,
	als, discounts,
	rections and for
	in interactive
	omer services
	to the rental or
	chase of real
	e; Design and
	elopment of
	sualization
	nnologies for
adverti	sement of real-
	and business
	ers; Application

service provider, namely, hosting, managing, developing, analyzing, and maintaining applications. software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring userdefined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information

22. Opposer's Registration Nos. 3,596,177; 4,101,348; 4,101,347; 4,101,346; 4,104,447; 4,104,448; 4,104,453; 3,552,504; 3,566,394; 3,596,174; 1,152,761; 4,218,667; 4,136,610; 4,129,635; 3,596,176; 4,048,345; 4,093,259; 4,048,331; 4,019,582; 4,093,260; 3,596,173; 3,488,230; 3,596,175; 3,385,395; 4,044,354; 4,041,089; 4,048,332; 4,048,344; 4,044,355; and 4,098,206 (collectively "HomeAway® Marks") are valid and subsisting and

constitute *prima facie* evidence of the validity of the mark and registration, and of Opposer's ownership and exclusive right to use the marks in commerce.

- 23. The HomeAway® Marks are inherently distinctive as used in connection with Opposer's services.
- 24. Opposer has received extensive unsolicited attention from local, national, and international media, including but not limited to nationally circulated publications and broadcast media such as *The New York Times®*, *Forbes®*, *Bloomberg Businessweek®*, *CNN®*, *ABC News®*, *CNBC®*, *Examiner.com®*, *Yahoo! Travel*, *Business Insider®*, *tnooz®*, *Investor's Business Daily®*, *NJ.com®*, *USA Today®*, *Skift®*, *About.com®*, *The Huffington Post®*, *NBC 40*, *The Wall Street Journal®*, *MarketWatch®*, *The Columbus Dispatch*, *Austin American-Statesman®*, *Nashville Ledger*, *San Antonio Express-News*, *U.S. News & World Report®*, *Fox Business®*, *Staten Island Advance®*, *The Tampa Tribune®*, *Fodor's®*, *TechCrunch®*, *Kiplinger®*, *KVUE®*, *Silicon Hills News*, *Yahoo! Voices*, *Yahoo! Finance*, *Smarter Travel®*, *Fox News®*, *U-T San Diego*, *Money Magazine*, *MyFoxPhoenix*, *Web in Travel*, *Newsroom Jersey*, *Associated Press®*, *Financial Times®*, *Family Circle®*, *Entrepreneur®*, *Chicago Tribune®*, *Austin Business Journal®*, among numerous others.
- 25. Opposer advertised its services through commercials featured during Super Bowl® XLIV in 2010 and Super Bowl® XLV in 2011. In 2012, Opposer aired a commercial during the 69th Golden Globe® Awards, which was also aired on the Travel Channel®, the Food Network®, HGTV®, and during the 54th Annual Grammy Awards®, the 84th Annual Academy Awards®, and the CBS® "Survivor" finale.
- 26. The HomeAway® Name and Marks are renowned in the United States and throughout the world, drawing the attention of nearly 20,000 followers on Twitter® and receiving over 435,000 "likes" on Facebook®.
- 27. As a result of extensive use, advertising, and promotion, Opposer's HomeAway® Name and Marks have achieved such widespread public recognition that they have become well known and famous among the general public. By virtue of Opposer's

obvious efforts and expenditure of significant financial amounts for promotional, advertising, and marketing-related activities and by virtue of the prominence and excellence of their services, Opposer has built a valuable reputation in the HomeAway® Name and Marks.

Applicant and its LOVEAWAY Application

- 28. Issa Hotels and Resorts Limited ("Applicant") is, based upon information and belief, a corporation organized under the laws of Jamaica, having an address at Fairview Office Park, Suite C12 Alice Eldemire Drive, Montego Bay, St. James, Jamaica.
- 29. Applicant is the listed owner of Application Serial No. 85/929,798, filed under Section 1(a), 15 U.S.C. § 1051, for the mark "LOVEAWAY" ("LoveAway Mark") for "electronic commerce payment services, namely, providing a payment plan for customers to allow payments to be made over time by establishing funded accounts used to purchase travel related services" in International Class 036 and "travel agency services, namely, making reservations and bookings for temporary lodging in connection with a deferred payment program" in International Class 043 ("LoveAway Application").
- 30. Applicant alleges first use of the LoveAway Mark in commerce on April 30, 2009.
- 31. Applicant's mark was published for opposition on September 10, 2013 in the Official Gazette.
- 32. On October 10, 2013, Opposer, through counsel, filed a timely Request for Extension of Time to Oppose the LoveAway Application, which was granted by the Trademark Trial and Appeal Board ("TTAB"). Opposer, thereafter, filed this timely Notice of Opposition.

Likelihood of Confusion, 15 U.S.C. § 1052(d)

- 33. Opposer repeats and realleges each and every allegation set forth above.
- 34. On information and belief, Applicant did not use the LoveAway Mark in commerce prior to April 30, 2009.

35. Opposer's rights in its HomeAway® Marks precede any rights Applicant may have in its applied-for mark. Opposer has priority based on its prior valid and subsisting registrations and prior filed applications for its HomeAway® Marks. Opposer also has priority based on its prior and continuous use of its HomeAway® Marks before the filing date of the opposed application and any date of first use date that may be alleged by Applicant.

Opposer's HomeAway® Marks are internationally famous and were famous prior to the filing and priority dates of Applicant's LoveAway Application.

- 36. Opposer's HomeAway® Marks have acquired their fame by reason of Opposer's significant use and promotion of those marks to the general public and relevant consumers, thereby making HomeAway® one of the most recognized marks in the travel industry. By reasons of such broad and extensive usage and promotion, Opposer has developed goodwill in the HomeAway® Name and Marks and those marks have become strongly and exclusively associated in the mind of the general public and relevant consumers with Opposer and with Opposer's travel-related services. Moreover, due to Opposers' extensive, continuous and substantially exclusive use of the HomeAway® Name and Marks in connection with providing temporary lodging information via the Internet, the HomeAway® Name and Marks are, and were prior to the filing and priority dates of Applicant's LoveAway Application, strongly and exclusively associated in the minds of the general public and relevant consumers with both Opposer and its services.
- 37. Applicant's LoveAway Mark is virtually identical to HomeAway® Mark in its appearance, commercial impression, and connotation.
- 38. Applicant intends to use its mark for similar services regarding travel and providing temporary lodging information to travelers in direct competition with Opposer.
- 39. Applicant also intends to market its travel-related services under its

 LoveAway Mark in the same industry, to the same class of consumers, and through the
 same or overlapping channels of trade as used by Opposer for its vacation rental services
 provided under its HomeAway® Marks.

40. On information and belief, the public and relevant consumers will likely to erroneously conclude that Opposer sponsored, licensed, otherwise authorized, and/or is otherwise affiliated with Applicant.

- 41. Consumers familiar with Opposer will be likely to book temporary lodging with Applicant, erroneously believing the services are affiliated, connected or associated with, or sponsored, approved or provided by Opposer, which they are not. The public and relevant consumers are likely to erroneously believe that Opposer approved the travel-related services bearing the LoveAway Mark. Any problem found with Applicant's travel-related services is likely to be attributed to, and reflect poorly upon, Opposer, thereby damaging the reputation and goodwill Opposer has established in the HomeAway® Name and Marks.
- 42. If Applicant is permitted to use and register the LoveAway Mark, confusion resulting in irreparable damage and injury to Opposer would be caused and would result directly by reasons of the confusion created by the similarity of Applicant's LoveAway Mark to Opposer's HomeAway® Marks.
- 43. Registration of Applicant's applied-for mark will likely cause confusion among the relevant consuming public, and will likely cause the relevant consuming public to mistakenly conclude that Applicant's services are associated with Opposer, causing injury or damage to Opposer.
- 44. Registration of Applicant's applied-for mark is likely to cause injury to Opposer's business reputation, and to injure and impair Opposer's rights in its HomeAway® Mark by causing confusion, mistake, and/or deception as to the respective rights of the parties and as to the source or sponsorship of such services in violation of Section 2(d), 15 U.S.C. § 1052(d).
- 45. Registration of Applicant's LoveAway Mark is inconsistent with the rights of Opposer.

False Suggestion of Connection, 15 U.S.C. § 1052(a)

46. Opposer repeats and realleges each and every allegation set forth above.

- 47. Applicant's LoveAway Mark is the same as or a close approximation of Opposer's HomeAway® Marks and will be recognized as such by the public because such names and identity point uniquely and unmistakably to HomeAway®.
- 48. Opposer is not connected with Applicant or the goods intended to be offered or sold by Applicant under the LoveAway Mark.
- 49. Opposer's HomeAway® Marks are so well-known and have such a strong reputation that if Applicant's LoveAway Mark is registered in connection with the identified services, a false connection with Opposer will be presumed.
- 50. Applicant's LoveAway Mark consists of matter which falsely suggests a connection with Opposer in violation of Section 2(a) of the Lanham Act, as amended, 15 U.S.C. § 1052(a).

Dilution, 15 U.S.C. § 1125(c)(1)

- 51. Opposer repeats and realleges each and every allegation set forth above.
- 52. Opposer's previously used and registered HomeAway® Marks became famous long before the filing date of Application Serial No. 85/929,798, and any date of first use that may be alleged by Applicant.
- 53. Applicant's LoveAway Mark so closely resembles Opposer's previously used and registered HomeAway Mark, as to be likely to cause dilution of the distinctive quality of the famous name and mark in violation of Section 43(c), 15 U.S.C. § 1125(c).

WHEREFORE, Opposer is being and will be damaged by the registration of Application Serial No. 85/929,798, and respectfully requests that this opposition be sustained in favor of Opposer, and that the mark shown in Application Serial No. 85/929,798 be refused registration.

Dated: November 12, 2013

Respectfully submitted,

HomeAway, Inc.

Scott S. Kokka

KOKKA & BACKUS, PC 703 High Street Palo Alto, CA 94301-2447

Dir: (650) 566-9921

Fax (650) 566-9922

ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the foregoing *Notice of Opposition* has been served on Kathy Sliberthau Strom of Cahill Gordon & Reindel LLP by mailing said copy on November 12, 2013, via First Class Mall, postage prepaid to:

Kathy Silberthau Strom
CAHILL GORDON & REINDEL LLP
1990 K ST NW STE 950
Washington, DC 20006-1181

Bv:

Maureen M. Dillon

KOKKA & BACKUS, PC 703 High Street

Palo Alto, CA 94301-2447

Dir: (650) 566-9912 Fax (650) 566-9922

Exhibit A



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

NEW USER STRUCTURED FREE FORM BROWNEDICT SEARCH OG BOTTOM HELP PREVEIST CURRLIST NEXT LIST FIRST DOC PREVIDOC NEXT DOC LAST DOC Please logout when you are done to release system resources allocated for you. Logout Record 8 out of 15 OR to record:

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HomeAway

Word Mark

HOMEAWAY

Goods and Services IC 043. US 100 101. G & S: Providing temporary lodging information via the Internet. FIRST USE:

20080910. FIRST USE IN COMMERCE: 20080910

Standard Characters

Claimed

Mark Drawing Code

(4) STANDARD CHARACTER MARK

Seriai Number

77375044

Filing Date

January 18, 2008

Current Basis

1A

Original Filing Basis 1B

Published for

Opposition

June 3, 2008

Registration Number 3596177

Registration Date

March 24, 2009

Owner

(REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin

TEXAS 78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET

SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Prior Registrations

1152761;2277123;3385395

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead indicator LIVE

TESS HOME NEW USER	STRUCTURED FREE FORM	BROWSE DICT SEARCH OG	Top	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST DOC
PREV DOC NEXT DOC	LAST DOC							



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY.COM

Word Mark

HOMEAWAY.COM

Goods and Services

IC 043. US 100 101. G & S: Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of eco-lodging; Providing travel lodging Information services and travel lodging booking agency services for travelers. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters

Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial

Number

85262733

Filing Date

March 9, 2011

Current Basis

1A

Original

Filing Basis

1A

Published for Opposition

December 6, 2011

Registration

Number

4101348

Registration **Date**

February 21, 2012

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth St. Austin TEXAS 78703

Attorney of

Record

Nicole H. Chiu

Prior Registrations

3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWNEDICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HomeAway.com

Word Mark

HOMEAWAY.COM

Goods and Services

IC 036. US 100 101 102. G & S: Providing real estate listing services for the rental or purchase of real estate; Providing real estate listing services for the rental or purchase of vacation real estate; Providing real estate listing services via a global computer network; Providing information on the rental of vacation homes via the internet; Providing a database of information about residential real estate listings in different neighborhoods and communities; Providing Information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estate listing services for housing rentals and apartment rentals; Residential real estate agency services. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark

Code

Drawing

(4) STANDARD CHARACTER MARK

Seriai Number

85261610

Filing Date

March 8, 2011

Current **Basis**

1A

Originai **Filing Basis** 1A

Published for Opposition

December 6, 2011

Registration Number

4101347

Registration

February 21, 2012

Date Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

3385395;3596173;3596175;AND OTHERS

Registrations

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead

indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWNEDICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY.COM

Word Mark

HOMEAWAY.COM

Goods and Services

IC 035. US 100 101 102. G & S: Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other Information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an Interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary accommodations. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85261573

Filing Date

March 8, 2011

Current

Basis

1A

Original

Filing Basis

1A

Published for Opposition

December 6, 2011

Registration Number

4101346

Registration **Date**

February 21, 2012

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

Registrations 3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

TOP

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGH Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HomeAway.com

Word Mark

HOMEAWAY.COM

Goods and Services

IC 039. US 100 105. G & S: Providing a website for the arrangement and booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark

Drawing

(4) STANDARD CHARACTER MARK

Code Serial

85261602

Number **Filing Date**

March 8, 2011

Current **Basis**

1A

Originai Filing Basis

1A

Published for Opposition

December 13, 2011

Registration Number

4104447

Registration

February 28, 2012

Date Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of

Record

Nicole H. Chiu

Prior

Registrations 3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead

Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWNFDICT SEARCH OG

Top

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWN, DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY.COM

Word Mark

HOMEAWAY.COM

Goods and Services

IC 041. US 100 101 107. G & S: Providing online newsletters featuring lodging, travel information, featured destinations, reviews, and other information related to lodging and travel providers; conducting workshops and seminars in the field of vacation property rental. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial

Number

85262104

Fliing Date

March 9, 2011

Current **Basis**

1A

Original

Filing Basis

1A

Published for Opposition

December 13, 2011

Registration

Number

4104448

Registration Date

February 28, 2012

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth St. Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

3385395;3596173;3596175;AND OTHERS Registrations

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG TOP HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY.COM

Word Mark

HOMEAWAY.COM

Goods and Services

IC 042. US 100 101. G & S: Computer services, namely, providing search platforms related to real estate to allow users to request content from and receive content to a computer or mobile device; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information. FIRST USE: 19981014. FIRST USE IN COMMERCE: 20060101

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85262672

Filing Date

March 9, 2011

Current Basis

1A

Originai

1A

Filing Basis

Published for Opposition

December 13, 2011

Registration Number

4104453

Registration

February 28, 2012 **Date**

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth St. Austin TEXAS

78703

Attorney of

Record

Nicole H. Chiu

Prior

Registrations

3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead

LIVE

Indicator

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DIET SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

TESS HOME NE	W USER STRUCT	RED FREE FORM BRO	WSIEDICT SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST	NEXT LIST F	FIRST DOC
PREVIDOC NE	XT DOC LAST D	юс			;			A STATE OF THE PARTY OF THE PAR	
Logout Ple	ease logout	when you are d	one to release s	ystem res	ources a	allocated	for you.		
Start List	At:	OR Jump to re	cord: R	ecor	114	out d	of 15		
TSDR	ASSIGN Stat	us TTAB Status	(Use the "Bac	k" buttoi	n of the	Internet	Browser	to return	to TESS)

HOMESAWAY

Word Mark HOMESAWAY

Goods and Services

IC 039. US 100 105. G & S: Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations. FIRST USE: 19930000. FIRST USE IN COMMERCE: 19930000

IC 043. US 100 101. G & S: Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants. FIRST USE: 19930000. FIRST USE IN COMMERCE: 19930000

Standard Characters Claimed

Mark **Drawing**

(4) STANDARD CHARACTER MARK

Code

77064734

Serial Number

Filing Date

December 14, 2006

Current **Basis**

1A:44E

Originai

1A;44D

Filing Basis **Published**

for

October 14, 2008

Opposition

Registration 3552504 Number

Registration December 30, 2008

Owner

(REGISTRANT) HOMEAWAY, INC. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS

78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE

300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Priority Date

June 16, 2006

Type of Mark

SERVICE MARK

Register

Live/Dead

PRINCIPAL

Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWN, DICT SEARCH OG TOP HELP PREVIOUS CURRILIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

TESS HOME NEW USER	STRUCTURED FREE FORM HOW	AND DICT SEARCH OG BOTTON	HELP PREY	LIST CURR LIST	First Doc
PREVIDOC NEXT DOC	LAST DOC				i iksi boc
Logout Please	ogout when you are do	one to release system	resources alloca	ated for you.	
Start List At:	OR Jump to rec	ord: Reco	ord 15 ou	t of 15	
TSDR AS:	SIGN Status TTAB Status	(Use the "Back" bu	tton of the Inte	rnet Browser to	return to TESS

HOMES AWAY

Word Mark HOMES AWAY

Goods and Services

IC 039. US 100 105. G & S: Arranging travel tours; travel agency services, namely, arranging specialty vacations, and making reservations and bookings for transportation; arranging travel tours, namely, vacations and travel tours to the specification of others; consultation in the field of travel destinations; consultation services in the field of excursions; organization of travel via a global computer network; providing information about specialty vacations, travel tours and travel destinations via a global computer network; providing a website featuring information in the fields of travel services, travel destinations, and the organization of customized specialty vacations. FIRST USE: 19930000. FIRST USE IN COMMERCE: 19930000

IC 043. US 100 101. G & S: Travel agency services, namely, arranging specialty vacations, namely, making reservations and booking for temporary lodging; consultation in the field of dining and temporary accommodations; travel agency services, namely, making reservations and bookings for temporary lodging and restaurants. FIRST USE: 19930000. FIRST USE IN COMMERCE: 19930000

Standard Characters Claimed

Mark

Drawing

(4) STANDARD CHARACTER MARK

Code

Seriai 77064489 Number

Filing Date

December 14, 2006

Current Basis

1A;44E

Original

Filing Basis

1A;44D

Published

for

November 11, 2008

Opposition

Registration 3566394 Number

Registration January 27, 2009

Owner

(REGISTRANT) HOMEAWAY, INC. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS

78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE

300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Priority Date

June 16, 2006

Type of Mark

SERVICE MARK

Register

Live/Dead

PRINCIPAL

indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG HELP PREVIOUS CURRILIST NEXT LIST FIRST DOC PREVIOUS NEXT DOC LAST DOC



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM HELP PREV LIST CURR LIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC

Please logout when you are done to release system resources allocated for you.

Sur List At: OR Imp to record: Record 12 out of 15

TSDR ASSIGN Status | TTAB Status | (Use the "Back" button of the Internet Browser to return to TESS)

HomeAway From Home

Word Mark HOMEAWAY FROM HOME

Goods and Services IC 043. US 100 101. G & S: Providing temporary lodging information via the Internet. FIRST USE:

20080114. FIRST USE IN COMMERCE: 20080114

Standard Characters

Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Seriai Number 77375029

Filing Date January 18, 2008

Current Basis 1A
Original Filing Basis 1B

Published for

Opposition June 3, 2008

Registration Number 3596174

Registration Date March 24, 2009

Owner (REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin

TEXAS 78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET

SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Scott S. Kokka

Prior Registrations 1152761;2277123;3385395

Type of Mark SERVICE MARK
Register PRINCIPAL

Live/Dead Indicator LIVE

TESS HOME NEW USER	STRUCTURED FREE FORM BROWSE DICT S	SEARCH OG TOP	HELP PREVIL	ST CURR LIST NEXT LIST FIRST DOC
PREV DOC NEXT DOC	LAST DOC			



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWNLDICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark

HOME AWAY FROM HOME

Goods and Services

IC 042. US 100. G & S: Rental of Temporary and Permanent Living Quarters to Others. FIRST USE:

19611200. FIRST USE IN COMMERCE: 19611200

Mark Drawing

Code

(1) TYPED DRAWING

Serial Number

73222033

Filing Date

July 2, 1979

Current Basis

Original Filing

Basis

1A

1A

Published for Opposition

February 3, 1981

Registration

Number

1152761

Registration Date April 28, 1981

Owner

(REGISTRANT) Lexington Management Corporation CORPORATION TEXAS 1000 Irving Bank Tower Irving

TEXAS 75060

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET

SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Record

Nicole H. Chiu

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Affidavit Text

SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20110526.

Renewai

2ND RENEWAL 20110526

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSLUICT SEARCH OF BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY SOFTWARE

Word Mark

HOMEAWAY SOFTWARE

Goods and Services

IC 042. US 100 101. G & S: Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring application programming interface (API) software for allowing data retrieval, upload, access and management. FIRST USE: 20110110. FIRST USE IN COMMERCE: 20110301

Standard Characters Ciaimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85236163

Filing Date

February 7, 2011

Current **Basis**

1A

Originai Filing Basis

1B

Published for Opposition

June 21, 2011

Registration Number

4218667

Registration

October 2, 2012

Date Owner

(REGISTRANT) HOMEAWAY.COM, INC. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street AUSTIN

TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Scott S. Kokka

Record **Prior**

Registrations 3385395;3596173;3596175;AND OTHERS

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOFTWARE" APART FROM THE MARK AS SHOWN

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY SOFTWARE FOR **PROFESSIONALS**

Word Mark

HOMEAWAY SOFTWARE FOR PROFESSIONALS

Goods and Services

IC 009. US 021 023 026 036 038. G & S: Computer software for use in database creation and management of a vacation rental website; Computer software for application and database integration; Computer software for application and database design; Computer software for creating searchable databases of information and data; Downloadable software for use in database management on a vacation rental website; Computer software and software tools for website development. FIRST USE: 20110126. FIRST USE IN COMMERCE: 20110126

Standard Characters Claimed

Mark

Drawing

(4) STANDARD CHARACTER MARK

Code Seriai

Number

85236141

Filing Date

February 7, 2011

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

June 21, 2011

Registration Number

4136610

Registration

May 1, 2012

Date **Owner**

(REGISTRANT) HOMEAWAY.COM, INC. CORPORATION DELAWARE SUITE 300 1011 W. FIFTH ST. AUSTIN

TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Record

Scott S. Kokka

Prior

Registrations

3385395;3596173;3596175;AND OTHERS

Discialmer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOFTWARE FOR PROFESSIONALS" APART FROM

THE MARK AS SHOWN

Type of Mark TRADEMARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWN DIET SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HOMEAWAY SOFTWARE FOR PROFESSIONALS

Word Mark

HOMEAWAY SOFTWARE FOR PROFESSIONALS

Goods and Services

IC 042. US 100 101. G & S: Application service provider (ASP) featuring software for use in content management; Computer services, namely, providing a web-based system and online portal featuring on-line non-downloadable software that enables users to access training materials in the field of vacation rental property ownership and management; Computer software development in the field of vacation rental property ownership and management; Providing a web site featuring temporary use of non-downloadable software for use in database management; Software as a service (SAAS) services featuring software design, development and implementation; Application service provider featuring application programming interface (API) software for allowing data retrieval, upload, access and management. FIRST USE: 20110126. FIRST USE IN COMMERCE: 20110126

Standard Characters Ciaimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Seriai Number

85236138

Filing Date

February 7, 2011

Current **Basis**

1A

Original

Filing Basis

1B

Published for Opposition

June 21, 2011

Registration

Number

4129635

Registration **Date**

April 17, 2012

Owner

(REGISTRANT) HOMEAWAY.COM, INC. CORPORATION DELAWARE SUITE 300 1011 W. FIFTH ST. AUSTIN

TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Scott S. Kokka

Record

Prior

3385395;3596173;3596175;AND OTHERS

Registrations Discialmer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SOFTWARE FOR PROFESSIONALS" APART FROM

THE MARK AS SHOWN

Type of Mark SERVICE MARK

PRINCIPAL

Register

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

PREV DOC NEXT DOC LAST DOC

Logout Please logout when you are done to release system resources allocated for you.

SEARCH OG BOTTOM HELP PREV LIST CURR LIST NEXT LIST FIRST DOC NEXT D

TSDR

ASSIGH Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

HomeAway Traveler

Word Mark

HOMEAWAY TRAVELER

(4) STANDARD CHARACTER MARK

Goods and Services IC 041. US 100 101 107. G & S: Providing on-line newsletters featuring lodging and travel information and reviews of lodging and travel providers. FIRST USE: 20080228. FIRST USE IN COMMERCE: 20080228

Standard Characters Claimed

Mark Drawing Code

er 77375042

Serial Number

110100-12

Filing Date

January 18, 2008

Current Basis

ייי

Original Filing Basis

1B

Published for Opposition

June 3, 2008

Registration

3596176

Registration

Date

Number

March 24, 2009

Owner

(REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS

78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of

Record

Scott S. Kokka

Prior

Registrations

1152761;2277123;3385395

Discialmer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "TRAVELER" APART FROM THE MARK AS

SHOWN

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG TOP HELP PREV LIST CURR LIST NEXT LIST FIRST DOC
PREV DOC NEXT DOC LAST DOC



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGH Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

WHY HOTEL WHEN YOU CAN HOMEAWAY

Word Mark

WHY HOTEL WHEN YOU CAN HOMEAWAY

Goods and Services

IC 043. US 100 101. G & S: Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of eco-lodging; Providing travel lodging information services and travel lodging booking agency services for travelers. FIRST USE: 20101215. FIRST USE IN COMMERCE: 20110126

Standard Characters Ciaimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85253328

Filing Date

February 28, 2011

Current Basis

1A

Originai

Filing Basis

1A

Published for Opposition

August 16, 2011

Registration

Number

4048345

Registration Date

November 1, 2011

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS 78703

Attorney of

Record

Nicole H. Chiu

Prior

3385395;3596173;3596175;AND OTHERS Registrations

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG TOP HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGN Status

(Use the "Back" button of the Internet Browser to return to TESS)

WHY HOTEL WHEN YOU CAN HOMEAWAY

Word Mark

WHY HOTEL WHEN YOU CAN HOMEAWAY

Goods and Services

IC 036. US 100 101 102. G & S: Providing real estate listing services for the rental or purchase of real estate; Providing real estate listing services for the rental or purchase of vacation real estate; Providing real estate listing services via a global computer network; Providing information on the rental of vacation homes via the Internet; Providing a database of information about residential real estate listings in different neighborhoods and communities; Providing information in the field of real estate via the Internet; Providing real estate listings and real estate information via the Internet; Providing real estate listings via the Internet; Real estate listing services for housing rentals and apartment rentals; Residential real estate agency services. FIRST USE: 20101215. FIRST USE IN COMMERCE: 20110126

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85252100

Filing Date

February 25, 2011

Current **Basis**

1A

Original

1A

Filing Basis Published for

November 15, 2011

Opposition Registration

4093259

Number

Registration **Date**

January 31, 2012

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS 78703

Attorney of

Scott S. Kokka Record

Prior

3385395;3596173;3596175;AND OTHERS Registrations

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead

Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE LINET SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGH Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

WHY HOTEL WHEN YOU CAN HOMEAWAY

Word Mark

WHY HOTEL WHEN YOU CAN HOMEAWAY

Goods and Services

IC 035. US 100 101 102. G & S: Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary accommodations. FIRST USE: 20101215. FIRST USE IN COMMERCE: 20110126

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Seriai Number

85252085

Filing Date

February 25, 2011

Current **Basis**

1A

Original

1A

Filing Basis **Published for**

August 16, 2011

Opposition Registration Number

4048331

Registration

November 1, 2011

Date Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Scott S. Kokka

Prior

Registrations 3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH, DICT SEARCH OG

Top

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DIET SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

WHY HOTEL WHEN YOU CAN HOMEAWAY

Word Mark

WHY HOTEL WHEN YOU CAN HOMEAWAY

Goods and Services

IC 039. US 100 105. G & S: Coordinating travel arrangements for individuals and for groups; Providing a website for the arrangement and booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services. FIRST USE: 20101215. FIRST USE IN COMMERCE: 20110126

Standard Characters Claimed

Mark **Drawing**

(4) STANDARD CHARACTER MARK

Code

Seriai Number

85253323

Filing Date

February 28, 2011

Current **Basis**

1A

Originai Filing Basis

1A

Published for Opposition

June 14, 2011

Registration Number

4019582

Registration

August 30, 2011

Date Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS 78703

Attorney of

Record

Nicole H. Chiu

Prior

3385395;3596173;3596175;AND OTHERS Registrations

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead

Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWN! DICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGH Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)

WHY HOTEL WHEN YOU CAN HOMEAWAY

Word Mark

WHY HOTEL WHEN YOU CAN HOMEAWAY

Goods and Services

IC 042. US 100 101. G & S: Computer services, namely, providing search platforms related to real estate to allow users to request content from and receive content to a computer or mobile device; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information. FIRST USE: 20101215. FIRST USE IN COMMERCE: 20110126

Standard Characters Claimed

Mark

Drawing Code

(4) STANDARD CHARACTER MARK

Serial Number

85253291

Filing Date

February 28, 2011

Current Basis

1A

Original

Filing Basis

1A

Published for Opposition

November 15, 2011

Registration Number

4093260

Registration

Date

January 31, 2012

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of

Record

Nicole H. Chiu

Prior

Registrations

3385395;3596173;3596175;AND OTHERS

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead **Indicator**

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG

HELP



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG BOTTOM HELP PREVEST CURRLIST NEXT LIST FIRST DOC PREVIDOC NEXT DOC LAST DOC

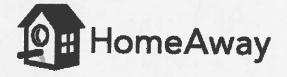
Please logout when you are done to release system resources allocated for you.

Record 13 out of 15 OR Jump to record:

TSDR **ASSIGN Status**

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

HOMEAWAY

Goods and Services

IC 043. US 100 101. G & S: Providing temporary lodging information via the Internet. FIRST USE: 20080910.

FIRST USE IN COMMERCE: 20080910

Mark Drawing

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code

03.17.06 - Bird cages; Bird feeders; Bird houses; Cages/pens, bird; Feeders (bird)

Trademark Search Facility Ciassification Code

ART-03.17 Parts of Birds; Eggs and Nests; Bird Cages

Serial Number

77375010

Filing Date

January 18, 2008

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

June 3, 2008

Registration Number

3596173

Registration

March 24, 2009

Date Owner

(REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS

78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Prior

Registrations

1152761;2277123;3385395

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a birdhouse followed by the words

"HomeAway".

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead

Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG HELP PREVIOUS CURR LIST NEXT LIST FIRST DOC PREVIDOC NEXT DOC LAST DOC



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

NEW USER STRUCTURED FREE FORM BROWSH DIET SEARCH OG Воттом HELP PREVIST CURRIST NEXT LIST FIRST DOC PREV DOC NEXT DOC LAST DOC Logout

Please logout when you are done to release system resources allocated for you.

Record 10 out of 15 OR to record:

TSDR **ASSIGN Status**

(Use the "Back" button of the Internet Browser to return to TESS)

Home Away CONNECT

Word Mark

HOMEAWAY CONNECT

Goods and Services

IC 043. US 100 101. G & S: Providing temporary lodging information via the Internet. FIRST USE: 20070122.

FIRST USE IN COMMERCE: 20070122

Mark Drawing

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search

Code

03.15.24 - Stylized birds and bats

Trademark

03.15.25 - Cardinals; Crows; Doves; Other birds; Pigeons; Ravens; Robins; Woodpeckers

Search Facility

Classification Code

ANI-BIRDS Accurate depiction of Birds

Serial Number

77375035

Filing Date

January 18, 2008

Current Basis

1A

Original Filing Basis

1A

Published for Opposition

June 3, 2008

Registration Number

3488230

Registration

Date

August 19, 2008

Owner

(REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS 78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Prior

Registrations

1152761;2277123;3385395

Description of

Mark

Color is not claimed as a feature of the mark. The mark consists of the words "HomeAway Connect" with a

small bird imposed on the letter "o" in the word "Connect".

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM BROWS	SEARCH OG	Тор	HELP	PREV LIST	CURR LIST	NEXT LIS	FIRST DOG	
PREV DOC	NEXT DOC	LAST DOC								1 Ministration	



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWNEDICT SEARCH OG BOTTOM HELP PREVEST CURRLIST NEXT LIST FIRST DOC

PREV DOC NEXT DOC LAST DOC

Please logout when you are done to release system resources allocated for you.

Record 11 out of 15 OR Jump to record:

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

HOMEAWAY FROM HOME

Goods and Services

IC 043. US 100 101. G & S: Providing temporary lodging information via the Internet. FIRST USE: 20080104.

FIRST USE IN COMMERCE: 20080104

Mark Drawing

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search

Code

03.17.06 - Bird cages; Bird feeders; Bird houses; Cages/pens, bird; Feeders (bird)

Trademark

Classification

Search Facility ART-03.17 Parts of Birds; Eggs and Nests; Bird Cages BLDG-AND-SCEN A type of building or a type of scenery

Code

Serial Number 77375030

Filing Date

January 18, 2008

Current Basis

1A

Original Filing Basis

1B

Published for Opposition

June 3, 2008

Registration Number

3596175

Registration Date

March 24, 2009

Owner

(REGISTRANT) HomeAway, Inc. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin TEXAS

78703

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE 300 AUSTIN TEXAS 78703

Assignment Recorded

ASSIGNMENT RECORDED

Attorney of Record

Scott S. Kokka

Prior

Registrations

1152761;2277123;3385395

Description of

Color is not claimed as a feature of the mark. The mark consists of a birdhouse followed by the words

Mark

"HomeAway from home".

Type of Mark Register SERVICE MARK

l ive/Dead

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG TOP HELP PREV LIST CURR LIST NEXT LIST FIRST DOC
PREV DOC NEXT DOC LAST DOC



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Tue Nov 5 03:20:29 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICH SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST	NEXT LIST	FIRST Doc
PREVIDOR NEXT DOC LAST DOC		4VII (1222-123)				
Please logout when you are done to release a	votom ro	00111000	المحالم ما	£		

(Use the "Back" button of the Internet Browser to return to TESS)

ease logout when you are done to release system resources allocated for you.

List At: Record 2 out of 14 OR Jump to record:

omeAway

TSDR

Word Mark HOMEAWAY LIVE THE DESTINATION

Goods and IC 043. US 100 101. G & S: Providing temporary lodging information via the internet. FIRST USE: 20060131. Services

FIRST USE IN COMMERCE: 20060131

TTAB Status

Mark Drawing (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS Code

Design Search 07.01.04 - Detached house Code

ASSIGN Status

Trademark BLDG-AND-SCEN A type of building or a type of scenery **Search Facility** SHAPES-MISC Miscellaneous shaped designs

Classification

SHAPES-SEALS Round or slightly rounded shape with an emblem embossed onthe inside of the circle Code

Serial Number 78767639

Filing Date December 6, 2005

Current Basis 1A **Original Filing 1B** Basis

Published for August 29, 2006 **Opposition**

Registration 3385395 Number

International Registration 0885248 Number

Registration February 19, 2008 Date

Owner (REGISTRANT) HOMEAWAY, INC. CORPORATION DELAWARE 1011 W. Fifth Street Suite 300 Austin **TEXAS 78703**

(LAST LISTED OWNER) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH STREET SUITE 300 AUSTIN TEXAS 78703

Assignment ASSIGNMENT RECORDED

Recorded

Attorney of Record

Scott S. Kokka

Type of Mark

SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

-							***************************************			
TESS HOME NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	Top	HELD	Dornal con	C	(2000) (000)	
				The state of the s	101	THE E	TREV LIST	CURRLIST	NEXT LIST	FIRST DOC
PREVIDOC NEXT DOC	LAST DOC									



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 043. US 100 101. G & S: Agency services for the reservation of temporary accommodation; Providing a website for making reservations and booking of eco-lodging; Providing travel lodging information services and travel lodging booking agency services for travelers. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark

Drawing

Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.06 - Other houses

Serial Number

85253334

Filing Date

February 28, 2011

Current

Basis

1A

Original

1A Filing Basis

Published for

August 9, 2011

Opposition

4044354

Registration Number

Registration

October 25, 2011

Date **Owner**

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

Registrations

2820989;3596173;3596175;AND OTHERS

Description

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with

of Mark

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

HELP

| HOME | SITE INDEX | SEARCH | #BUSINESS | HELP | PRIVACY POLICY



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWN, DICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 036. US 100 101 102. G & S: Vacation real estate listing services and providing such services via a global computer network; providing an on-line database of rental properties, namely, real estate listing services. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark

Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.06 - Other houses

Serial Number

85240796

Filing Date

February 11, 2011

Current **Basis**

1A

Original

1A

Filing Basis **Published for**

August 2, 2011

Opposition Registration

4041089

Registration

October 18, 2011

TEXAS 78703

Date Owner

Number

(REGISTRANT) HOMEAWAY.COM, INC. CORPORATION DELAWARE 1011 W. FIFTH ST. SUITE 300 AUSTIN

Assignment

ASSIGNMENT RECORDED

Recorded **Attorney of**

Nicole H. Chiu

Record Prior

2820989;3596173;3596175;AND OTHERS

Registrations

Description

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

of Mark

PRINCIPAL

Live/Dead **Indicator**

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG

HELP

| HOME | SITE INDEX | SEARCH | «BUSINESS | HELP | PRIVACY POLICY



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWS DICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 035. US 100 101 102. G & S: Providing an interactive website which promotes real estate properties through offering prospective tenants and buyers video walk throughs, property descriptions, text, price, location, maps and other information to be considered by a prospective tenant or buyer in making a rental or purchase decision; Providing an interactive website for advertising specials, offering of coupons, rebates, discounts and special offerings promoting the services of others, and responding to customers inquiries for others in the field of real estate; On-line advertising and marketing services related to the rental or sale of real property; Real estate marketing services in the field of temporary accommodations. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark

Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.04 - Detached house

07.01.06 - Other houses

Serial Number

85252097

Filing Date

February 25, 2011

Current **Basis**

1A

Originai Filing Basis

1A

Published for Opposition

August 16, 2011

Registration Number

4048332

Registration

November 1, 2011

Date Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Scott S. Kokka

Prior

Registrations

2820989;3596173;3596175;AND OTHERS

Description

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind the home with

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

of Mark

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG

TOP

HELP

| HOME | SITE INDEX | SEARCH | BUSINESS | HELP | PRIVACY POLICY



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWNEDICT SEARCH OG BOTTOM

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TSDR

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 039. US 100 105. G & S: Providing a website for the arrangement and booking of eco-travel and eco-tours; Providing a web site and web site links to geographic information, map images, and trip routing; Providing a web site featuring travel Information and commentary; Providing an on-line computer database in the field of travel information services; Providing an on-line searchable computer database featuring information on travel; Providing information, news and commentary in the field of travel; Providing links to web sites of others featuring travel; Providing reviews of travel service providers; Travel guide and travel information services. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark

Drawing

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Code Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.06 - Other houses

Serial Number

85253304

Filing Date

February 28, 2011

Current Basis

1A

Original

1A

Filing Basis **Published for**

August 16, 2011

Opposition Registration

4048344

Number Registration

November 1, 2011

Date

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

Registrations

2820989;3596173;3596175;AND OTHERS

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT SEARCH OG

HELP

| HOME | SITE INDEX | SEARCH | BUSINESS | HELP | PRIVACY POLICY



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWS DICT SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

ASSIGN Status

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 041. US 100 101 107. G & S: Providing online newsletters featuring lodging, travel information, featured destinations, reviews, and other information related to lodging and travel providers; conducting workshops and seminars in the field of vacation property rental. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark

Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.06 - Other houses

Serial

Number

85253340

Filing Date

February 28, 2011

Current

Basis

1A

Originai

Filing Basis

1A

Published for

Opposition

August 9, 2011

Registration

Number

4044355

Registration Date

October 25, 2011

Owner

(REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

Registrations

2820989;3596173;3596175;AND OTHERS

Description

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with

of Mark

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

| HOME | SITE INDEX! SEARCH | BUSINESS | HELP | PRIVACY POLICY



Home Site Index Search FAQ Glossary Guides Contacts eBusiness eBiz alerts News Help

Trademarks > Trademark Electronic Search System (TESS)

TESS was last updated on Thu Nov 7 03:10:53 EST 2013

TESS HOME NEW USER STRUCTURED FREE FORM BROWN DIET SEARCH OG BOTTOM HELP

Please logout when you are done to release system resources allocated for you.

Record 1 out of 1

TTAB Status

(Use the "Back" button of the Internet Browser to return to TESS)



Word Mark

VRBO FROM HOMEAWAY

Goods and Services

IC 042. US 100 101. G & S: Computer services, namely, providing search platforms related to real estate to allow users to request content from and receive content to a computer or mobile device; ASP featuring software for use by real estate and travel-based companies and individuals to advertise specials, make reservations, offer coupons, specials, discounts, and directions and for use in interactive customer services related to the rental or purchase of real estate; Design and development of visualization technologies for advertisement of real-estate and business of others; Application service provider, namely, hosting, managing, developing, analyzing, and maintaining applications, software, and web sites, of others in the fields of advertising and marketing; Computer services, namely, acting as an application service provider in the field of knowledge management to host computer application software for creating searchable databases of information and data; Computer services in the nature of customized web pages featuring user-defined information and personal profiles; Computer services, namely, providing search engines for obtaining data on a global computer network; Providing a website that gives users the ability to create customized web pages featuring user-defined information. FIRST USE: 20071215. FIRST USE IN COMMERCE: 20080119

Mark Drawing Code

(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design

01.05.01 - Sun, rising or setting (partially exposed or partially obstructed); Sunrise

Search Code 07.01.06 - Other houses

Serial Number

85253297

Filing Date

February 28, 2011

Current Basis

Original

1A

Filing Basis

Published for Opposition

November 29, 2011

Registration Number

4098206

Registration

February 14, 2012

Date

Owner (REGISTRANT) HomeAway.com, Inc. CORPORATION DELAWARE Suite 300 1011 W. Fifth Street Austin TEXAS

78703

Attorney of Record

Nicole H. Chiu

Prior

Registrations

2820989;3596173;3596175;AND OTHERS

Description of Mark

Color is not claimed as a feature of the mark. The mark consists of a picture of the sun rising behind a home with

the literal elements "VRBO FROM HOMEAWAY" to the right of sun rising behind the home.

Type of Mark SERVICE MARK

Register

PRINCIPAL

Live/Dead Indicator

LIVE

TESS HOME NEW USER STRUCTURED FREE FORM BROWSH DICT SEARCH OG

| HOME | SITE INDEX | SEARCH | BUSINESS | HELP | PRIVACY POLICY